

economic reasonableness of state action. The Act forbids EPA to base its actions concerning SIP's on such grounds. *Union Electric Co. v. U.S.E.P.A.*, 427 U.S. 246, 256-66 (S.Ct. 1976); 42 U.S.C. 7410(a)(2).

The OMB has exempted this action from review under Executive Order 12866.

#### Unfunded Mandates

Under sections 202, 203, and 205 of the Unfunded Mandates Reform Act of 1995 ("Unfunded Mandates Act") signed into law on March 22, 1995, EPA must undertake various actions in association with proposed or final rules that include a Federal mandate that may result in estimated costs of \$100 million or more to the private sector, or to State, local, or tribal governments in the aggregate.

Through submission of these SIP revisions, the State and any affected local or tribal governments have elected to adopt the program provided for under sections 110 and 182 of the CAA. These rules may bind State, local, and tribal governments to perform certain actions and also require the private sector to perform certain duties. To the extent that the rules being proposed for approval will impose any mandate upon the State, local, or tribal governments either as the owner or operator of a source or as a regulator, or would impose any mandate upon the private sector, EPA's action will impose no new requirements; such sources are already subject to these requirements under State law. Accordingly, no additional costs to State, local, or tribal governments, or to the private sector, result from this action. EPA has also determined that this proposed action does not include a mandate that may result in estimated costs of \$100 million or more to State, local, or tribal governments in the aggregate or to the private sector.

#### List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Carbon monoxide, Hydrocarbons, Incorporation by reference, Intergovernmental relations, Oxides of nitrogen, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: July 5, 1995.

**Felicia Marcus,**

*Regional Administrator.*

[FR Doc. 95-20600 Filed 8-18-95; 8:45 am]

BILLING CODE 6560-50-P

#### 40 CFR Part 52

[CA 126-1-7083b; FRL-5267-8]

#### Approval and Promulgation of State Implementation Plans; California State Implementation Plan Revision, El Dorado County Air Pollution Control District and Yolo-Solano Air Quality Management District

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA is proposing to approve revisions to the California State Implementation Plan (SIP), which concern the control of volatile organic compound (VOC) emissions from cutback and emulsified asphalt and the storage and transfer of organic liquids.

The intended effect of proposing approval of these rules is to regulate emissions of VOCs in accordance with the requirements of the Clean Air Act, as amended in 1990 (CAA or the Act). In the Final Rules Section of this **Federal Register**, the EPA is approving the state's SIP revisions as a direct final rule without prior proposal because the Agency views these as noncontroversial revision amendments and anticipates no adverse comments. A detailed rationale for this approval is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated in relation to these rules. If EPA receives adverse comments, the direct final rule will be withdrawn and all public comments received will be addressed in a subsequent final rule based on this proposed rule. The EPA will not institute a second comment period on this document. Any parties interested in commenting on this action should do so at this time.

**DATES:** Comments on this proposed rule must be received in writing by September 20, 1995.

**ADDRESSES:** Written comments on this action should be addressed to: Daniel A. Meer, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901.

Copies of the rules and EPA's evaluation reports of the rules are available for public inspection at EPA's Region 9 office during normal business hours. Copies of the submitted rules are also available for inspection at the following locations:

California Air Resources Board, Stationary Source Division, Rule Evaluation Section, 2020 "L" Street, Sacramento, CA 95814;

El Dorado County Air Pollution Control District, 2850 Fairlane Court, Placerville, CA 95667; Yolo-Solano Air Quality Management District, 1947 Galileo Court, Suite 103, Davis, CA 95616.

**FOR FURTHER INFORMATION CONTACT:** Duane F. James, Rulemaking Section (A-5-3), Air and Toxics Division, U.S. Environmental Protection Agency, Region 9, 75 Hawthorne Street, San Francisco, CA 94105-3901, Telephone: (415) 744-1191.

**SUPPLEMENTARY INFORMATION:** This document concerns the El Dorado County Air Pollution Control District's Rule 224, "Cutback and Emulsified Asphalt Paving Materials," and the Yolo-Solano Air Quality Management District's Rule 2.21, "Vapor Control for Organic Liquid Storage and Transfer." These rules were submitted to EPA on November 30, 1994, by the California Air Resources Board. For further information, please see the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register**.

**Authority:** 42 U.S.C. 7401-7671q.

Dated: July 21, 1995.

**John Wise,**

*Acting Regional Administrator.*

[FR Doc. 95-20595 Filed 8-18-95; 8:45 am]

BILLING CODE 6560-50-W

#### 40 CFR Part 52

[IL62-1-5674B; FRL-5281-5]

#### Approval and Promulgation of Implementation Plans; Illinois

**AGENCY:** Environmental Protection Agency.

**ACTION:** Proposed rule.

**SUMMARY:** The United States Environmental Protection Agency (USEPA) proposes to approve a requested revision to the Chicago ozone Federal Implementation Plan as it pertains to the American Decal and Manufacturing Company's plant in Chicago, Illinois. This action lists the FIP revision that USEPA is proposing to approve and provides an opportunity to request a public hearing. A rationale for approving this request is presented in the final rules section of this **Federal Register**, where USEPA is approving the revision request as a direct final rule without prior proposal because USEPA views this as a noncontroversial revision and anticipates no adverse comments. If no adverse comments or requests for a public hearing are received in response to that direct final rule, no further activity is contemplated

in relation to this proposed rule. If USEPA receives adverse comments or a public hearing request, the direct final rule will be withdrawn. If a public hearing is requested, USEPA will extend the public comment period for 30 days following the public hearing. Any parties interested in commenting on this notice should do so at this time. If a request for a public hearing is received, USEPA will publish a document in the **Federal Register** announcing a public hearing. The final rule on this proposed action will address all comments received.

**DATES:** Comments on this proposal must be received by September 20, 1995. A public hearing, if requested, will be held in Chicago, Illinois. Requests for a public hearing should be submitted to J. Elmer Bortzer by September 20, 1995.

**ADDRESSES:** Written comments and requests for a public hearing on this proposed action should be addressed to: J. Elmer Bortzer, Chief, Regulation Development Section (AR-18J), Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604.

Comments should be strictly limited to the subject matter of this proposal.

**DOCKET:** Pursuant to section 307(d)(1)(B) of the Clean Air Act (Act), 42 U.S.C. 7607(d)(1)(B), this action is subject to the procedural requirements of section 307(d). Therefore, USEPA has established a public docket for this action, A-95-14, which is available for public inspection and copying between 8 a.m. and 4 p.m., Monday through Friday, at the following addresses. We recommend that you contact Steven Rosenthal before visiting the Chicago location and Rachel Romine before visiting the Washington, D.C. location. A reasonable fee may be charged for copying.

The United States Environmental Protection Agency, Region 5, Regulation Development Branch, Eighteenth Floor, Southeast, 77 West Jackson Boulevard, Chicago, Illinois, 60604, (312) 886-6052.

United States Environmental Protection Agency, Docket No. A-95-14, Air Docket (LE-131), Room 1500, Waterside Mall, 401 M Street, S.W., Washington, D.C. 20460, (202) 245-3639.

**FOR FURTHER INFORMATION CONTACT:** Steven Rosenthal, Regulation Development Branch (AR-18J), U.S. Environmental Protection Agency, Region 5, 77 West Jackson Boulevard, Chicago, Illinois 60604, (312) 886-6052.

**SUPPLEMENTARY INFORMATION:** For additional information see the direct

final rule published in the rules section of this **Federal Register**.

Dated: August 7, 1995.

**Carol M. Browner,**

*Administrator.*

[FR Doc. 95-20648 Filed 8-18-95; 8:45 am]

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#### 40 CFR Parts 52 and 61

[ND6-1-6534b, ND2-1-6064b; FRL-5261-7]

#### Clean Air Act Approval and Promulgation of State Implementation Plan for North Dakota; Revisions to the Air Pollution Control Rules

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Proposed rule.

**SUMMARY:** EPA proposes to approve the State implementation plan (SIP) revisions submitted by the State of North Dakota with letters dated June 26, 1990, June 30, 1992, and April 29, 1994. The revisions address air pollution control rules regarding general provisions; emissions of particulate matter and organic compounds; new source performance standards (NSPS); national emission standards for hazardous air pollutants (NESHAPs); construction and operating permit programs; prevention of significant deterioration (PSD) of air quality; and control of emissions from oil and gas well production facilities. The April 29, 1994 submittal also addressed the following two issues which will be acted on in separate documents: Revisions to the PSD rules with respect to PM<sub>10</sub> increments; and revisions to the visibility monitoring chapter of the SIP. Further, EPA is proposing to approve the State's construction permit and federally enforceable State operating permit (FESOP) programs under section 112(l) of the amended Clean Air Act (Act) for the purposes of creating federally enforceable permit conditions for sources of hazardous air pollutants (HAPs).

In the Final Rules Section of this **Federal Register**, EPA is acting on the State's SIP revisions as a direct final rule without prior proposal because the Agency views this as a noncontroversial revision amendment and anticipates no adverse comments. A detailed rationale for EPA's actions is set forth in the direct final rule. If no adverse comments are received in response to this proposed rule, no further activity is contemplated and the direct final rule will become effective. If EPA receives adverse comments, the direct final rule will be withdrawn and all public

comments received will be addressed in a subsequent final rule based on this proposed rule. EPA will not institute a second comment period on this action. Any parties interested in commenting on this document should do so at this time.

**DATES:** Comments on this proposed rule must be received in writing by September 20, 1995.

**ADDRESSES:** Written comments on this action should be addressed to Amy Platt, 8ART-AP, at the EPA Regional Office listed below. Copies of the State's submittal and documents relevant to this proposed rule are available for inspection during normal business hours at the following locations: Air Programs Branch, Environmental Protection Agency, Region VIII, 999 18th Street, suite 500, Denver, Colorado 80202-2405; and North Dakota State Department of Health and Consolidated Laboratories, Environmental Health Section, 1200 Missouri Avenue, Bismarck, North Dakota, 58502-5520.

**FOR FURTHER INFORMATION CONTACT:** Amy Platt, Environmental Protection Agency, (303) 293-1769.

**SUPPLEMENTARY INFORMATION:** See the information provided in the Direct Final action which is located in the Rules Section of this **Federal Register**.

Dated: July 14, 1995.

**Jack W. McGraw,**

*Acting Regional Administrator.*

[FR Doc. 95-20602 Filed 8-18-95; 8:45 am]

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#### 40 CFR Part 300

[FRL-5281-2]

#### National Oil and Hazardous Substances Pollution Contingency Plan; National Priorities List

**AGENCY:** Environmental Protection Agency.

**ACTION:** Notice of Intent To Delete Woodbury Chemical Site from the National Priorities List; request for comments.

**SUMMARY:** The Environmental Protection Agency (EPA) Region IV announces its intent to delete the Woodbury Chemical Site from the National Priorities List (NPL) and requests public comment on this proposed action. The NPL constitutes Appendix B of 40 CFR part 300 which is the the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), which EPA promulgated pursuant to Section 105 of the Comprehensive Environmental Response, Compensation, and Liability